IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

WP(Crl.).No. 44 of 2007(S)

PETITIONER:

S.SAINUDEEN,
CHEMBAKASSERIL, THAMARAKULAM, MAVELIKKARA.

BY ADV. SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SMT.KAVITHA GANGADHARAN

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
CHIEF SECRETARY TO THE GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR GENERAL OF POLICE,
KERALA.

3. SUPERINTENDENT OF POLICE,
ALAPPUZHA.

4. SUB INSPECTOR OF POLICE,
NOORANADU POLICE STATION, NOORANADU.

5. JAYAPRAKASH, S/O. JANARDHANAN PILLAI,
KIZHAKUDUKKATH, THAMARAKULAM.

R1 TO R4 BY G.P. SHRI P.A. SALIM
R5 BY ADV. SRI.S.SHANAVAS KHAN
SMT.S.INDU

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 09/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1-TRUE COPY OF THE COMPLAINT DATED 26.1.2007 SUBMITTED BY THE PETITONER BEFORE THE 4TH RESPONDENT.

EXT.P2-TRUE COPY OF FIR NO.24/2007 OF NOORANADU POLICE STATION

EXT.P3-TRUE COPY OF MANUSCRIPT COPY OF COMPLAINT DATED 3.2.2007 SUBMITTED BY THE PETITIONER TO R3

// TRUE COPY //

J.B. Koshy & T.R. Ramachandran Nair, JJ.

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W.P.(Crl).NO.44 of 2007-S

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Dated this the 9th day of March, 2007

JUDGMENT

Koshy, J.

The alleged detenue was present. She stated that she is not under illegal custody and she married the fifth respondent. Fifth respondent submitted that he has passed Diploma in Polytechnic and also passed B.Sc. degree and is teaching Computer courses to the children. Apart from the legal marriage, he also stated that notice under the Special Marriage Act was given and marriage will be conducted under the said Act also. Since the alleged detenue is not under illegal custody, she is allowed to go with the 5th respondent.

The writ petition is dismissed.

(J.B. Koshy, Judge.)

(T.R. Ramachandran Nair, Judge.)

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